

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

ROBERT L. SCHMIDT, and  
STACY S. SCHMIDT,

Plaintiffs,

v.

NATIONAL CITY CORPORATION, and  
LITTON LOAN SERVICING LP,

Defendants.

)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)

No. 3:06-CV-209  
(Phillips)

**ORDER**

This matter came before the court on various motions filed by the parties:

1. Plaintiffs have moved to dismiss New Century Mortgage Corporation as a defendant in this action [Doc. 77]. No opposition has been received to the motion, and the motion is hereby **GRANTED**. Plaintiffs' motion to make New Century Mortgage Corporation a non-party participant [Doc. 76], and plaintiffs' motion to dismiss [Doc. 78] are **DENIED AS MOOT**.

2. The parties jointly moved for additional time for defendants National City Corporation, Litton Loan Servicing, L.P., Deutsche Bank National Trust Company, and Credit-Based Asset Servicing and Securitization to respond to plaintiffs' Second Amended

Complaint [Doc. 95]. Subsequent to the filing of the motion, these defendants filed an answer [Doc. 108]. Accordingly, the parties motion for additional time [Doc. 95] is **DENIED AS MOOT.**

3. Plaintiffs move for an order dismissing defendant Blount County Sheriff's Department [Doc. 109]. No opposition has been received to the motion, and the motion is hereby **GRANTED.** The motion to dismiss filed by the Blount County Sheriff's Department [Doc. 101] and the motion for protective order filed by the Blount County Sheriff's Department [Doc. 103] are **DENIED AS MOOT.**

**IT IS SO ORDERED.**

**ENTER:**

s/ Thomas W. Phillips  
United States District Judge